

REMARKS

Applicant has amended claim 1 and added claims 12-15. Claim 8 is canceled. Claims 1-7 and 9-15 are presented for examination. Favorable reconsideration is respectfully requested.

35 U.S.C. § 112, first paragraph

Claims 1-7 and 9-11 were rejected as allegedly failing to comply with the written description requirement. Specifically, the Office Action (page 3) contends that “[i]n claim 1, ‘the first and second electrodes are made from a material that is not etched by the etching solution or that is etched, by the etching solution, less than the base body is etched by the etching solution’ is new matter because it is not supported in applicant’s specification.” To the extent that Examiner feels this rejection still applies to the amended claims, Applicant submits that support for the above quoted portion of claim 1 can be found in Applicant’s specification, e.g., at page 6, second paragraph. Accordingly, Applicant requests reconsideration and withdrawal of this rejection.

35 U.S.C. § 103

Claims 1-7 and 9-11 were rejected as being allegedly unpatentable over U.S. Publication No. 2002/0089065 (Fujimoto). As shown above, Applicant has amended independent claim 1 to cover methods that include “chemically etching at least a portion of [a] base body with an etching solution comprising an acid to adjust a resistance of the base body between [a] first electrode and [a] second electrode, wherein the first and second electrodes are made from a

material that is not etchable by the etching solution or that is etchable, by the etching solution, less than the base body is etchable by the etching solution.” In view of these amendments, withdrawal of the art rejections is respectfully requested.

Fujimoto describes a “process of dipping a thermistor body in a solvent in order to partially melt away its externally exposed surfaces and to thereby increase the resistance between the outer electrodes.” (paragraph 5). As the Office Action has already pointed out, Fujimoto describes the use of an acid, such as nitric acid, sulfuric acid and phosphoric acid, as the solvent (Office Action at page 4; citing Fujimoto at paragraph [0031]). However, it would seem that embodiments in which Fujimoto suggests that an acid can be used as a solvent also call for the use of a resist layer 8 to protect the electrodes from being melted away by the solvent, and, “[a]fter [the] melting process, the resist layers 8 of the thermistor chip 1c are removed ...” (see Fujimoto at paragraph [0031]).

Fujimoto also describes another embodiment in which “the thermistor body 32 is dipped in the solvent without first forming any resist layer thereon” and in which “the solvent 10 must be of a kind such as a plating liquid which melts the thermistor body 32 but not the outer electrodes 33” (see, e.g., Fujimoto at paragraph [0038]; emphasis added). However, a plating liquid appears to be the only example that Fujimoto provides of a solvent that will melt the thermistor body but not the unprotected electrodes. Fujimoto also appears to distinguish acid solvents from plating liquids (see Fujimoto at paragraph [0031], “An acid ... or a plating liquid ... may be used as the solvent” (emphasis added)). Thus, it would seem that Fujimoto does not describe or suggest a method in which a base body is etched by an etching solution that includes

an acid, and in which electrodes on the base body are made from a material that is not etchable by the etching solution or that is etchable, by the etching solution, less than the base body is etchable by the etching solution. Accordingly, claim 1 is believed to be patentable.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim, in light of the foregoing amendments, and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

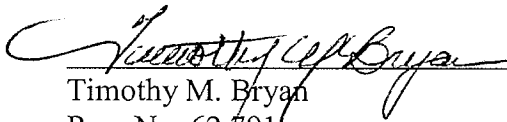
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Please charge any additional fees, not already covered by check, or credit any
overpayment, to deposit account 06 1050, referencing Attorney Docket No. 14219-093US1.

Respectfully submitted,

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Timothy M. Bryan
Reg. No. 62,791

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945